BILL NO. S-91-12-10

SPECIAL ORDINANCE NO. S-324-91

AN ORDINANCE approving the awarding of Reference #5035 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and **ALLEN COUNTY MOTORS** for the Technical Services Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #5035 between the City of Fort Wayne, by and through its Department of Purchasing and **ALLEN COUNTY MOTORS** for the Technical Services Department, respectfully for:

> **the purchase of two (2) 4-wheel drive utility vehicles for the Technical Services Department;**

involving a total cost of Forty-Two Thousand One Hundred Twenty-Six and no/100 Dollars ($42,126.00), all as more particularly set forth in said Reference #5035 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay, City Attorney

REFERENCE NO.:	5035
DEPARTMENT:	TECHNICAL SERVICES
DATE:	12/10/91
ITEM/SERVICE:	4-WHEEL DRIVE VEH.
ADVERTISED BID:	YES
DATES ADVERTISED:	11/12/91 & 11/19/91
DATE OPENED:	12/2/91
WRITTEN QUOTE:	
DATE DUE:	
VERBAL QUOTE:	
SINGLE SOURCE:	
NO. OF VENDORS NOTIFIED:	9
NO. OF VENDORS RECEIVING BID:	3
NO. OF VENDORS RETURNING BID:	2
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	1
DATE SENT TO DEPT FOR RECOMM:	12/2/91
DATE RECOMM RECEIVED BACK:	12/3/91
DATE SENT TO LAW DEPARTMENT:	12/3/91
INTRODUCTION DATE:	12/10/91
DISCUSSION DATE:	12/19/91
PASSAGE DATE:	1/7/92

REFERENCE NO. 5035
4 WHEEL DRIVE VEHICLES
5/23/91

DESCRIPTION	ALLEN CO MTRS	KELLEY CHEVY
MAKE	FORD	CHEVROLET
MODEL	BRONCO	CK10516
UNIT COST	$20,943.00	$25,365.00
UNIT DISCOUNT	INCLUDED	$3,400.56
TOTAL FOR 2	$41,886.00	$43,928.88
DELIVERY TIME	120 DAYS ARO	WILL ADVISE
OPTIONAL RUSTPROOF	$120.00	$275.00

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 12-2-91 @ 11:00 AM BID REFERENCE # 5035

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR TWO (2) +/- 4-WHEEL DRIVE UTILITY VEHICLES (FULL SIZE) PER SPECIFICATIONS

AND REQUESTED BY TECHNICAL SERVICES DEPT

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____% IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Allen County Motors, Inc.
STREET ADDRESS 2300 S. Jefferson Blvd.
CITY Ft. Wayne, IN 46802 PHONE # 432-9545
BY Dennis Miller Fleet Mgr.
REPRESENTATIVE SIGNATURE

TWO (2) OR LESS 1992 FULL [illegible] 4-WHEEL DRIVE UTILITY VEHICLES

1. Engine - V-8 with 5.0L Minimum
   - Engine Displacement - 300 CID Minimum
   5.0L incl
   302 CID
2. Wheelbase - 105" Minimum
   105" incl
3. Body - Full Size 4 X 4 Utility Vehicle - 2 Door. incl.
4. Seats - Cloth Bucket Seats or Captain's Chairs, Rear Bench incl.
5. Glass - Tinted Safety Glass. Privacy on Rear & Quarter Windows. incl.
6. Windshield Wipers - Electric, Multiple Speed Intermittent W/Washers. incl.
7. Floor Mats - Standard incl.
8. Color - Standard Factory Color. incl.
9. Transmission - Automatic, Engineered for Engine Specified. incl.
10. Electrical System - 12 Volt Heavy Duty. incl.
11. Differential/Axle - Limited Slip - Rear. incl.
12. Fuel Tank - Maximum Capacity for Model With Shield. 32gal incl.
13. Battery - Maximum Available thru Manufacturer Production for Current Model. 84AH/850CCA
14. Alternator - Maximum Available thru Manufacturer Production for Current Model. 75AMP
15. Suspension - Heavy Duty Springs & Shocks, Front and Rear; Stabilizer Bars Front and Rear. incl
16. Wheels - Standard. 5-16"TK
17. Tires - Five (5) Full Size All Terrain Tires. Front End to be Aligned and All Tires and Wheels to be Balanced. 5-P235/75RX15XL All Terrain
18. Steering - Power Steering. incl.
19. Brakes - Power Brakes W/Rear Anti-Lock incl.
20. Mirrors - One (1) Interior, Day or Night None-Glare. Outside Left Hand & Right Hand Bright Electric incl.
21. Cigar Lighter - Required. incl.

22. Jack & Tool - Required. incl.

23. Heater & Air Conditioning - Standard, Factory Installed. incl.

24. Cooling System - Heavy Duty & Auxiliary Cooler incl.

25. Radio -Electronic Factory Installed AM/FM. incl.

26. Bumpers - Required, Finished Front and Rear. incl.

27. Rear Window Defroster, Electric incl.

28. Power Door Locks incl.

29. Two-Speed Transfer Case W/Skid Plate incl.

30. Tilt Steering Wheel incl.

31. Console Between Front Seats incl.

32. Electric Touch Drive 4 X 4 incl.

33. Digital Clock incl.

34. Light/Convenience Group incl.

35. Factory Trailer Towing Package & Wiring Harness incl.

36. Weight Distribution Trailer Hitch (2" Ball) incl.

37. Tow Hooks - Front incl.

38. Spotlight Installed - Unity or Equal incl.

39. Engine Block Heater incl.

* 40. Rear Window Air-Deflector FACTORY OVERHANG NO EXTERIOR MOUNTED AVAILABLE incl. AS STD

41. Warranty - Indicate extent of Warranty and Items Covered 3 years/36000 miles whichever occurs first as attached literature

Alternate

42. Rustproofing - Federal Standard Specs 297E 1991 Z-BART ——— ADD TO NET PRICE Bid # 120.00

FOB: FORT WAYNE

MAKE: FORD

MODEL: New 1992 BRONCO

COST PER UNIT: ($20,943.-) $20,943.00

LESS DISCOUNT: $ incl.

TOTAL FOR TWO (2) ($41,886.-) # 41,886.00 $ [redacted]

DELIVERY TIME ARO: from Purchase Order

VALIDITY OF BID PRICE: APPROX. 120 DAYS

(IN CALENDAR DAYS)

Prescribed by the State Board of Accounts

Form No. 99 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: 12-2-91

1. Governmental Unit: City of Ft. Wayne
2. County: Allen
3. Bidder (Firm): Allen County Motors, Inc.
   Address: 2300 W. Jefferson Blvd.
   City/State: Ft. Wayne, IN 46802
4. Telephone Number: 432-9545
5. Agent of Bidder (If applicable): Dennis Miller Fleet Mgr.

Pursuant to notices given, the undersigned offers bid(s) to City of Ft. Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Dennis Miller Fleet Mgr.
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
New 1992 Ford Bronco 4 wheel drive Per attached specifications			Net Price each	#20,943.00	(20943.-)
			2 units total		#41,886.00 (41886.-)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
Allen COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Allen County Motors, Inc.
Bidder (Firm)
Dennis Miller Fleet Mgr.
Signature of Bidder or Agent

Subscribed and sworn to before me this 29 day of NOV, 1991.

My Commission Expires: 8-17-93

County of Residence: Allen

Joann Weaver
Notary Public

Joann Weaver
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____
_____ _____
_____ _____

Bond No. .....

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE, MD. 21203

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, ALLEN COUNTY MOTORS, INC.
2300 W. Jefferson Blvd.
Fort Wayne, IN 46804, as Principal, (hereinafter called the "Principal"), and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, of Baltimore, Maryland, a corporation duly organized under the laws of the State of Maryland, as Surety, (hereinafter called the "Surety"), are held and firmly bound unto CITY of FORT WAYNE
One Main Street, Fort Wayne, IN 46802
as Obligee, (hereinafter called the "Obligee"),

in the sum of Five Percent(5%)of Contractor's Maximum Bid--------Dollars ($----------), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Bid Ref#5035:Two(2) new 1992 Ford Broncos

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 2nd day of December A.D. 19 91

Witness

ALLEN COUNTY MOTORS, INC. (SEAL)
Principal
Title

FIDELITY AND DEPOSIT COMPANY OF MARYLAND
Surety

Diann A. Russell
Witness

By Virginia T. Axson (SEAL)
Title

Diann A. Russell

Virginia T. Axson
Attorney-in-Fact

C325d—150M,
Approved by The American Institute of Architects.
A.I.A. Document No. A-310 February 1970 Edition.

Power of Attorney

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE, BALTIMORE, MD

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR. , Vice-President, and C. W. ROBBINS , Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Duane E. Lupke, Donald L. Coffey, Edward B. Rice, Virginia T. Axson, Gerald Clancy and Judith A. Snyder, all of Fort Wayne, Indiana, EACH.....

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Duane E. Lupke, etal, dated, October 1, 1987.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 24th day of July, A.D. 1990

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

ATTEST: SEAL

C W Robbins
Assistant Secretary

By C M Pecot
Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

On this 24th day of July , A.D. 1990 , before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

CAROL J. PRICE NOTARY PUBLIC BALTIMORE CITY, MD

Carol J. Price

Notary Public Commission Expires August 1, 1992

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 2nd day of December, 19 91.

044-2987

Christopher T. Maddox
Assistant Secretary

FOR YOUR PROTECTION
LOOK FOR THE RED INTERIOR

Read the first time in full and on motion by Schmidt, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____ M.,E.S.T.

DATED: 12-10-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Gia Quinta, seconded by Redd, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BRADBURY	✓			
BURNS	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
REDD	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 12-26-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ (APPROPRIATION) (GENERAL) (SPECIAL) ~~(ZONING MAP)~~ ORDINANCE ~~RESOLUTION~~ NO. S-324-91 on the 26th day of December, 1991

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)
Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1991, at the hour of 1:30 o'clock P.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 3rd day of January, 1992, at the hour of 11:40 o'clock A M.,E.S.T.

PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 5035 for the purchase of two (2) 4-wheel drive utility vehicles for the Technical Services Department. The cost reflects the lowest and most responsive of two (2) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Two (2) replacement vehicles for Technical Services.

IF REPLACEMENT, WHAT NECESSITATES: Age and mileage of present vehicles plus the high cost to repair older vehicles.

EFFECT ON NON-PASSAGE: Technical Services personnel will not have the dependable transportation to reach job sites and expensive repairs will continue.

PRIOR APPROVAL REQUESTED: NO DATE:

MONIES INVOLVED: Allen Co Motors $42126.00+/-

PRICE AGREEMENT: PURCHASE ORDER: YES

ACCOUNT INFORMATION: Technical Services 513-523-W101-4441

S-91-12-10

BILL NO. S-91-12-10

REPORT OF THE COMMITTEE ON FINANCE

MARK E. GiaQUINTA, CHAIRMAN
DONALD J. SCHMIDT, VICE CHAIRMAN
BRADBURY, REDD, BURNS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding of Reference #5035 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and ALLEN COUNTY MOTORS for the Technical Services Department

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC
J. Bradbury			

DATED: 12-19-91

Sandra E. Kennedy
City Clerk